

ownership of securities. The Commission is authorized to solicit the information required by this Form pursuant to sections 16(a) and 23(a) of the Securities Exchange Act of 1934 (17 CFR part 240); sections 17(a) and 20(a) of the Public Utility Holding Company Act of 1935 (17 CFR part 250); and sections 30(f) and 38 of the Investment Company Act of 1940 (17 CFR part 270), and the rules and regulations thereunder. Disclosure of information specified on this Form is mandatory, except for disclosure of IRS or Social Security numbers of the reporting person, which is voluntary. If such numbers are furnished, they will assist the Commission in distinguishing reporting persons with similar names and will facilitate the prompt processing of the Form. The information will be used for the primary purpose of disclosing the transactions and holdings of officers, directors and beneficial owners of registered companies. Information disclosed will be a matter of public record and available for inspection by members of the public. The Commission can use the information in investigations or litigation involving the federal securities laws or other civil, criminal, or regulatory statutes or provisions, as well as for referral to other governmental authorities and self-regulatory organizations. Failure to disclose required information may result in civil or criminal action against persons involved for violations of the federal securities laws and rules.

[56 FR 7274, Feb. 21, 1991]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting Form 5, see the List of CFR Sections Affected in the Finding Aids section of this volume.

Subpart C—Forms for Applications for Registration of Securities on National Securities Exchanges and Similar Matters

§ 249.208 [Reserved]

§ 249.208a Form 8-A, for registration of certain classes of securities pursuant to section 12 (b) or (g) of the Securities Exchange Act of 1934.

(a) Subject to paragraph (b) of this section, this form may be used for registration pursuant to section 12 (b) or (g) of the Securities Exchange Act of

1934 of any class of securities of any issuer which is required to file reports pursuant to sections 13 and 15(d) of that Act or pursuant to an order exempting the exchange on which the issuer has securities listed from registration as a national securities exchange.

(b) If the registrant would be required to file an annual report pursuant to section 15(d) of the Act for its last fiscal year, except for the fact that the registration statement on this form will become effective before such report is required to be filed, an annual report for such fiscal year shall nevertheless be filed within the period specified in the appropriate annual report form.

(c) If this form is used *only* for the registration of a class of debt securities as defined in §240.3a12-11(c) of this chapter and certification from the national securities exchange has been received by the Commission, it shall become effective either:

(1) Upon filing with the Commission, in the case of a class of debt securities not concurrently being registered under the Securities Act of 1933 (15 U.S.C. 77a *et seq.*) ("Securities Act"); or

(2) Upon the effectiveness of a concurrent Securities Act registration statement to which the debt securities relate.

[43 FR 21663, May 19, 1978, as amended at 59 FR 55347, Nov. 7, 1994]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting Form 8-A, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 249.208b Form 8-B, for registration of securities of certain successor issuers pursuant to section 12 (b) or (g) of the Securities Exchange Act of 1934.

This form may be used for registration pursuant to section 12 (b) or (g) of the Securities Exchange Act of 1934 of securities of an issuer which has no securities so registered but which has succeeded to an issuer which at the time of the succession had securities so registered, or to such an issuer and one or more other persons, subject to the following conditions: (a) The capital structure and balance sheet of the successor issuer immediately after the succession were substantially the same